

Appendix 8

~~Table of~~ Permitted Uses ~~and Development Standards for~~ Lexington Technology Park

Permitted Uses

The following uses are permitted within the CD-10 District subject to review and approval by the SPGA pursuant to Article III, § 135-12 of the 2009 Zoning By-Laws. All Accessory Uses permitted within the CRO District in accordance with Article IV, § 135-16 and Table 1 of the 2009 Zoning By-Laws shall continue to be permitted within this CD-10 District.

Section 1.0 Institutional Uses [A religious or non-profit educational use or child care facility as

~~Allowed “By-Right”~~

described in §135-9E, is permitted as a matter of right in the CD-10 District).

- 1.1 Day Care Center, school age child care program, nursery school, kindergarten
- 1.2 Public or private nonprofit college or technical school, trade or vocational school operated for college-age students; includes buildings, land or other facilities used for educational purposes but not including space used for revenue producing purposes not directly associated with the education of students (for space used for revenue producing purposes, see commercial uses).
- 1.3 Public parks, playgrounds, municipal buildings or uses
- 1.4 Museum, art gallery, private library
- 1.5 Non-profit community service center or charitable organization
- ~~1.6 Accessory use within a school, kitchen and dining facilities for staff or students; dwelling units for staff~~
- ~~1.7 Institutional uses and related structures with less than 10,000 square feet of gross floor area, including the area of any existing structure but excluding any floor area devoted to parking.~~

~~Allowed “By Special Permit”~~

- ~~1.8 Institutional uses and structures as provided above, in excess of 10,000 square feet of gross floor area including the area of any existing structure but excluding any floor area devoted to parking, provided the use is permitted as denoted above and the SPGA grants a special permit with site plan (see §135-12 and §135-13 of the 2009 Zoning bylaw) [A religious or non-profit educational use or child care facility as described in §135-9E, is permitted as a matter of right in all zoning districts).~~

Section 2.0 Accessory & Temporary Uses for All Institutional Uses

Allowed “By-Right”

- ~~2.1 Dwelling Unit in institutional building for security, maintenance or administrative personnel~~
- ~~2.2 Off Street parking and off street loading for automobiles. If outdoor parking spaces are provided for more than four automobiles for a dwelling unit, a special permit is required~~
- ~~2.3 Building for storage of tools, lawn and garden equipment and supplies subject to the same dimensional controls as a principal building~~
- ~~2.4 Greenhouse not used for commercial purposes subject to the same dimensional controls as a principal building~~
- ~~2.5 Satellite receiving antenna~~
- ~~2.6 Parking of trucks or other equipment to be used for the maintenance of buildings and grounds only; shall be parked only in a garage or in an area not within the minimum yard for the principal building and shall be screened from the view of abutting lots and the street~~
- ~~2.7 Convenience business or other commercial uses in an institutional building; provided the use is conducted entirely within the principal building, is conducted primarily for the occupants and employees of the principal use and there is no evidence of the conduct of the accessory use from the street or from any lot line~~

3.02.0 Office Uses

Allowed “By-Right”

- ~~3.12.1~~ Real estate development, management
- ~~3.22.2~~ Finance, credit investment but not in a bank
- ~~3.32.3~~ Medical, dental, psychiatric office, but not a clinic, with related laboratory
- ~~3.42.4~~ Professional services such as law, engineering, architecture, consulting service
- ~~3.52.5~~ Advertising, editing, composition, but not including printing, or other reproduction service
- ~~3.62.6~~ Employment agency, office of a business, professional, labor, civic or social association
- ~~3.72.7~~ Office or manufacturer’s representative or salesman with no sales or storage and distribution or products from the premises

~~3.82.8~~ Other business, administrative or professional office, not elsewhere classified

4.03.0 Personal Business Uses

~~Allowed “By-Right”~~

~~4.43.1~~ Bank, credit union

~~4.23.2~~ ATM machine which may be either a principal use or accessory use

~~4.33.3~~ Travel Agency, insurance agency, ticket agency

~~4.43.4~~ Photographic services including commercial photography

~~4.53.5~~ Photocopying, reproduction services but not commercial printing

~~4.63.6~~ For-profit school for instruction in academics, art, skills or vocational training

~~Allowed “By Special Permit”~~

~~4.73.7~~ Medical Clinic for out-patient services
as an accessory use only (in accordance with Article IV, § 135-16 of the 2009 Zoning Bylaws)

~~4.83.8~~ ATM machine which may be either a principal use or accessory use with drive-up window or auto-oriented branch bank

5.04.0 Commercial Recreation, Amusement, Entertainment

~~Allowed “By Special Permit”~~

~~5.44.1~~ Automobile parking lot where the parking spaces do not serve a principal use on the same lot and where no sales or service takes place

6.05.0 Manufacturing**~~Allowed “By-Right”~~**

~~6.45.1~~ Laboratory engaged in research, experimental and testing activities, which may include the development of mock-ups and prototypes but not the manufacture of finished products

~~Allowed “By Special Permit”~~

~~6.25.2~~ Manufacturing in the fields of biotechnology, medical, pharmaceutical, physical, biological and behavioral sciences and technology, environmental science, toxicology, genetic engineering, comparative medicine, bioengineering, cell biology, human and animal nutrition including the production of equipment, apparatus, machines and devices for research, development, manufacturing and advance and

practical application in any such field or area, and including, office, administrative and support facilities related to any of the foregoing activities. All development proposals shall comply with applicable Federal, State and local laws, regulations and ordinances including, without limitation, laws, regulations and ordinances governing air pollution, water pollution control, noise and illumination.

All manufacturing shall be limited to the Biosafety level limitations contained in the regulations of the Board of Health of the Town of Lexington and the Developer and any lessee or assignee of the Developer shall be deemed to have waived their right to obtain a variance under said regulations to permit activities at a Biosafety level not permitted by such regulations.

The Zoning Board of Appeals may impose conditions in any Special Permit for manufacturing that: (a) All resulting odors, gases and particulate matter from proposed operations be effectively contained to the Property or so disposed of so as not to have an adverse impact on surrounding outside air quality; and (b) All noise, vibration, flashing or lighting (which is continuous and not the result of the short-term operation of emergency generators or other equipment) from manufacturing operations shall not be perceptible normally without instruments either at the boundary line of the Property adjacent to a residential zoning district or at any point within the nearest occupied residential lot more than one-hundred fifty (150) feet from the location of such activity on the Property, whichever is closer to the intended use.

The Applicant, for any Special Permit to engage in manufacturing, shall provide written notice to abutting property owners (within 300 feet of the Property) of the public hearing before the Lexington Board of Health on any application for a Permit from the Lexington Board of Health to engage in the above-referenced activities or for any amendment and renewal thereof.

Notwithstanding anything to the contrary contained in the 2009 Zoning-By-Laws, all research and development uses requiring a permit from the Lexington Board of Health shall be limited to the Biosafety level limitations contained in said Board of Health regulations and the Developer and any lessee or assignee of the Developer shall be deemed to have waived their right to obtain a variance under said regulations to permit activities at a Biosafety level not permitted as of right by such regulations.

~~6.35.3~~ Light manufacturing

7.06.0 Utilities, Communications and Transportation

~~Allowed “By-Right”~~

~~7.16.1~~ Substations, pumping station or automatic telephone exchange of a regulated public utility

~~7.26.2~~ Radio, Television studio, but without transmitting or receiving towers

~~Allowed “By Special Permit”~~

~~7.36.3~~ Wireless communication facility in accordance with the 2009 Zoning By-Law

8.0 Accessory Uses

Allowed “By-Right”

- ~~8.1 Off street parking and loading for vehicles associated with the principal use. Note: an off street parking structure must comply with the applicable dimensional controls~~
- ~~8.2 Parking of trucks or other equipment to be used for the maintenance of buildings and grounds only; shall be parked only in a garage or in an area not within the minimum yard for the principal building and shall be screened from the view of abutting lots and the street~~
- ~~8.3 Temporary overnight outdoor parking of freight carrying or material handling equipment~~
- ~~8.4 Building for storage of tools, lawn and garden equipment and supplies subject to the same dimensional controls as a principal building~~
- ~~8.5 Dumpster or other refuse disposal equipment (subject to Article X of the 2009 Zoning Bylaws)~~
- ~~8.6 Convenience business use~~
- ~~8.7 Cafeteria, dining room, conference room, function rooms, recreational facilities for the employees and clientele of the principal use; if the use is not otherwise permitted in the district, it shall not be available to the general public and shall be conducted entirely within the principal building with no evidence of the existence of the use from the street or from any lot line~~
- ~~8.8 Accessory Sign (as permitted by Article XIII of the 2009 Zoning Bylaws)~~
- ~~8.9 Processing, storage and limited manufacturing of goods and materials related solely to research, experimental and testing activities~~
- ~~8.10 Uses accessory to permitted scientific research, development or related production activities~~
- ~~8.11 Temporary building(s) or trailer(s) incidental to the construction of a building or land use (see §135-9F of the 2009 Zoning Bylaw)~~

Allowed “By Special Permit”

- ~~8.12 Commercial use not otherwise permitted in district provided the use is conducted entirely within the principal building, is conducted primarily for the employees and clientele of the principal use; if the use is not otherwise permitted in the district, it shall not be available to the general public and shall be conducted entirely within the principal building with no evidence of the existence of the use from the street or from any lot line~~

9.0.7.0 Operating Standards for ~~Office, Personal Business and Manufacturing~~ All Commercial Uses

Allowed “By-Right”

The Developer shall comply with the following operational standards for all uses

~~9.4~~7.1 All operations are conducted entirely within an enclosed building

Allowed “By Special Permit”

~~9.3~~7.2 Operations, in part or in whole, conducted outdoors during operating hours and subject to the transition and screening requirements as required by the Zoning Board of Appeals

~~9.4~~7.3 Storage of equipment and products outdoors related to manufacturing uses during non-operating hours

~~10.0~~8.0 Temporary Uses

Allowed “By Special Permit”

~~10.4~~8.1 Temporary structures and uses not otherwise permitted in the district provided the SPGA makes a finding that the proposed structure or use is compatible with the neighborhood (see 135-9F of the 2009 Zoning Bylaw)

~~1156589.3~~
1156589.4

